

SB0151



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB0151

Introduced 1/28/2015, by Sen. John J. Cullerton

SYNOPSIS AS INTRODUCED:

325 ILCS 20/11

from Ch. 23, par. 4161

Amends the Early Intervention Services System Act. Makes a technical change in a Section concerning family service plans.

LRB099 03275 KTG 23283 b

A BILL FOR

1 AN ACT concerning children.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Early Intervention Services System Act is
5 amended by changing Section 11 as follows:

6 (325 ILCS 20/11) (from Ch. 23, par. 4161)

7 Sec. 11. Individualized Family Service Plans.

8 (a) Each eligible infant or toddler and ~~and~~ that infant's
9 or toddler's family shall receive:

10 (1) timely, comprehensive, multidisciplinary
11 assessment of the unique strengths and needs of each
12 eligible infant and toddler, and assessment of the concerns
13 and priorities of the families to appropriately assist them
14 in meeting their needs and identify supports and services
15 to meet those needs; and

16 (2) a written Individualized Family Service Plan
17 developed by a multidisciplinary team which includes the
18 parent or guardian. The individualized family service plan
19 shall be based on the multidisciplinary team's assessment
20 of the resources, priorities, and concerns of the family
21 and its identification of the supports and services
22 necessary to enhance the family's capacity to meet the
23 developmental needs of the infant or toddler, and shall

1 include the identification of services appropriate to meet
2 those needs, including the frequency, intensity, and
3 method of delivering services. During and as part of the
4 initial development of the individualized family services
5 plan, and any periodic reviews of the plan, the
6 multidisciplinary team may seek consultation from the lead
7 agency's designated experts, if any, to help determine
8 appropriate services and the frequency and intensity of
9 those services. All services in the individualized family
10 services plan must be justified by the multidisciplinary
11 assessment of the unique strengths and needs of the infant
12 or toddler and must be appropriate to meet those needs. At
13 the periodic reviews, the team shall determine whether
14 modification or revision of the outcomes or services is
15 necessary.

16 (b) The Individualized Family Service Plan shall be
17 evaluated once a year and the family shall be provided a review
18 of the Plan at 6 month intervals or more often where
19 appropriate based on infant or toddler and family needs. The
20 lead agency shall create a quality review process regarding
21 Individualized Family Service Plan development and changes
22 thereto, to monitor and help assure that resources are being
23 used to provide appropriate early intervention services.

24 (c) The initial evaluation and initial assessment and
25 initial Plan meeting must be held within 45 days after the
26 initial contact with the early intervention services system.

1 The 45-day timeline does not apply for any period when the
2 child or parent is unavailable to complete the initial
3 evaluation, the initial assessments of the child and family, or
4 the initial Plan meeting, due to exceptional family
5 circumstances that are documented in the child's early
6 intervention records, or when the parent has not provided
7 consent for the initial evaluation or the initial assessment of
8 the child despite documented, repeated attempts to obtain
9 parental consent. As soon as exceptional family circumstances
10 no longer exist or parental consent has been obtained, the
11 initial evaluation, the initial assessment, and the initial
12 Plan meeting must be completed as soon as possible. With
13 parental consent, early intervention services may commence
14 before the completion of the comprehensive assessment and
15 development of the Plan.

16 (d) Parents must be informed that early intervention
17 services shall be provided to each eligible infant and toddler,
18 to the maximum extent appropriate, in the natural environment,
19 which may include the home or other community settings. Parents
20 shall make the final decision to accept or decline early
21 intervention services. A decision to decline such services
22 shall not be a basis for administrative determination of
23 parental fitness, or other findings or sanctions against the
24 parents. Parameters of the Plan shall be set forth in rules.

25 (e) The regional intake offices shall explain to each
26 family, orally and in writing, all of the following:

1 (1) That the early intervention program will pay for
2 all early intervention services set forth in the
3 individualized family service plan that are not covered or
4 paid under the family's public or private insurance plan or
5 policy and not eligible for payment through any other third
6 party payor.

7 (2) That services will not be delayed due to any rules
8 or restrictions under the family's insurance plan or
9 policy.

10 (3) That the family may request, with appropriate
11 documentation supporting the request, a determination of
12 an exemption from private insurance use under Section
13 13.25.

14 (4) That responsibility for co-payments or
15 co-insurance under a family's private insurance plan or
16 policy will be transferred to the lead agency's central
17 billing office.

18 (5) That families will be responsible for payments of
19 family fees, which will be based on a sliding scale
20 according to the State's definition of ability to pay which
21 is comparing household size and income to the sliding scale
22 and considering out-of-pocket medical or disaster
23 expenses, and that these fees are payable to the central
24 billing office. Families who fail to provide income
25 information shall be charged the maximum amount on the
26 sliding scale.

1 (f) The individualized family service plan must state
2 whether the family has private insurance coverage and, if the
3 family has such coverage, must have attached to it a copy of
4 the family's insurance identification card or otherwise
5 include all of the following information:

6 (1) The name, address, and telephone number of the
7 insurance carrier.

8 (2) The contract number and policy number of the
9 insurance plan.

10 (3) The name, address, and social security number of
11 the primary insured.

12 (4) The beginning date of the insurance benefit year.

13 (g) A copy of the individualized family service plan must
14 be provided to each enrolled provider who is providing early
15 intervention services to the child who is the subject of that
16 plan.

17 (h) Children receiving services under this Act shall
18 receive a smooth and effective transition by their third
19 birthday consistent with federal regulations adopted pursuant
20 to Sections 1431 through 1444 of Title 20 of the United States
21 Code.

22 (Source: P.A. 97-902, eff. 8-6-12; 98-41, eff. 6-28-13.)